

REMARKS/ARGUMENTS

The above-identified patent application has been reviewed in light of the Examiner's action dated December 29, 2006. Claims 1, 8, 13, 17, 19, 28, 31 and 34 have been amended, and Claim 24 has been canceled, without intending to abandon or dedicate to the public any patentable subject matter. Accordingly, Claims 1-23 and 25-35 are now pending. As set forth herein, reconsideration and withdrawal of the objections to and rejections of the claims are respectfully requested.

Claims 19 and 28 stand objected to because of informalities. In the amendments set forth above, the noted informalities have been addressed as suggested by the Examiner. Accordingly, it is submitted that the objections to these claims should be reconsidered and withdrawn.

Claims 18-30 stand objected to as being of improper dependent form. In the amendments set forth above, Claim 17, from which Claims 18-30 depend, has been amended. In view of this amendment to Claim 17, it is submitted that the objections to Claims 18-30 are now moot. Accordingly, reconsideration and withdrawal of the objections to Claims 18-30 are respectfully requested.

Claims 17-30 stand rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. In particular, the Claim is found to recite calculations and processes that are not tangible. In the amendments set forth above, Claim 17 has been amended and positively recites tangible results as an outcome of the recited steps. Accordingly, it is submitted that the rejections of Claims 17-30 under 35 U.S.C. § 101 should be reconsidered and withdrawn.

Claims 1-3, 5-7, 9-15, 17-24 and 26-35 stand rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent No. 5,995,101 to Clark et al. ("Clark"). In addition, Claims 4 and 25 stand rejected under 35 U.S.C. § 103 as being obvious over Clark, and Claims 8 and 16 stand rejected under 35 U.S.C. § 103 as being obvious over Clark in view of U.S. Patent No. 6,243,724

to Mander et al (“Mander”). In order for a rejection under 35 U.S.C. § 102 to be proper, each and every element as set forth in a claim must be found, either expressly or inherently described, in a single prior art reference. (MPEP § 2131.) In order to establish a *prima facie* case of obviousness under § 103, there must be some suggestion or motivation to modify the reference or to combine the reference teachings, there must be a reasonable expectation of success, and the prior art reference(s) must teach or suggest all the claim limitations (MPEP § 2143.) However, all of the claim elements cannot be found in the cited references, whether those references are considered alone or in combination. Accordingly, reconsideration and withdrawal of the rejections of the claims as anticipated by or obvious in view of the cited references are respectfully requested.

The present invention is directed to providing a passive look ahead for user interfaces. More particularly, the invention as claimed displays a preview of a consequence of selecting a selectable item to a user. As recited by amended Claim 1, the selectable item is not a representation of a file. As set forth in amended Claim 17, the selection of the first selectable item performs an operation on a file that is open within an application that provides said first selectable item. Amended Claim 31 specifies that the selectable item is associated with an application program, in that the consequence of selecting the selectable item performs an operation that does not include opening a file. Claim 31 as amended recites displaying a depiction of the consequences of selecting at least a first selectable item, wherein the consequence of selecting the first selectable item does not include opening a file. As such elements are not taught, suggested or described by the cited references, the rejections of the claims as unpatentable in view of those references should be reconsidered and withdrawn.

The Clark reference is generally directed to a multi-level tool tip. In particular, when a user points to an area of interest in a graphical display on a computer monitor using a cursor, a

first level of information is displayed. A subsequent level of information is then displayed if the user continues to point to that area of interest or if a selected key stroke is entered (Clark, abstract). In general, the tips provide textual explanations of an icons function, or a demonstration of the function. (Clark, column 2, lines 30-63.) Accordingly, Clark is limited to presenting information describing a selected item. Clark does not teach, suggest or describe providing a preview of the consequence of selecting an item. This deficiency of Clark with respect to the claimed invention is acknowledged by the Office Action.

For disclosure of previewing a consequence of selecting a selectable item, the Office Action cites to Mander. Mander is generally directed to a method and apparatus for organizing information in a computer system. More particularly, Mander discusses providing a graphical representation of a document included in a pile or collection of documents represented by icons. By positioning the cursor at an item in the pile for a predetermined period of time, a proxy for the item positioned under the cursor is revealed. (Mander, column 3, lines 5-25.) Moreover, the indicia or proxy for the selected item can include an animated dicon [sic icon] of the digitized movie in that various frames of the movie may be displayed rapidly in sequence. (Mander, column 36, lines 46-55.) However, it is noted that Mander does not teach, suggest or describe the consequence of selecting an item other than an item representing a document or other file.

Accordingly, at least the following elements of the independent claims indicated by italicized text cannot be found in the cited references.

1. A method for providing a visual representation of the consequences of taking an action, comprising:

first moving a cursor in response to input from a user;

first detecting a position of said cursor within an application window; and

in response to said position of said cursor corresponding to a first selectable item within said application window, *displaying a depiction of a consequence of selecting said first selectable item, wherein said first selectable item is not a representation of a file, and wherein said display includes a preview of a consequence of selecting said first selectable item.*

17. A computer implemented method, comprising:

determining a position of a cursor; and

in response to said position of said cursor hovering over a first selectable item, *displaying a preview of a consequence of selecting said first selectable item, wherein a selection of said first selectable item performs an operation on a file that is open within an application that provides said first selectable item.*

31. An apparatus for displaying a consequence of a selection to a user, comprising:

means for visually displaying;

means for receiving user input;

means for determining a position of a cursor, wherein said cursor is displayed by said means for visually displaying and is responsive to said means for receiving user input;

means for determining a relationship between a position of a selectable item displayed by said means for visually displaying and said cursor; and

*means for generating a depiction of a consequence of selecting said selectable item at least when said cursor is within an area occupied by said selectable item on said means for visually displaying, wherein said selectable item is associated with an application program, wherein said consequence of selecting*

*said selectable item performs an operation, and wherein said operation does not include opening a file.*

34. An apparatus for providing a depiction of the consequences of making a selection, comprising:

data storage, wherein at least a first application is maintained in said data storage;

a data processor operable to execute instructions included in said first application;

a visual display operable to display graphical elements generated in connection with said execution of said instructions included in said first application and operable to display a cursor;

a pointing device operable to receive commands from a user concerning a position of said cursor with respect to said graphical elements, *wherein a depiction of the consequences of selecting at least a first selectable item included in said graphical elements is displayed in response to detecting that said cursor is hovering over said at least a first selectable item, and wherein the consequences of selection said at least a first selectable item do not include opening a file.*

In view of the foregoing it is submitted that the rejections of the claims as anticipated by or obvious in view of the cited references should be reconsidered and withdrawn. The application therefore appearing to be in form for allowance, early notification of same is respectfully requested. The Examiner is invited to contact the undersigned by telephone if doing so would be of assistance.

Respectfully submitted,

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